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In re Application of :
Satoshi Seo :
Application No. 09/987,003 : DECISION ON PETITION
Filed: November 13, 2001 : UNDER 37 CFR 1.313
Attorney Docket No. 740756-2389 :

This is a decision on the petition under 37 CFR 1.313, filed April 26, 2006, requesting withdrawal of this application from issue.

The petition is **DISMISSED**.

Petitioner requests that this application be withdrawn from issue to allow for consideration in a Request for Continued Examination under 37 CFR 1.114 a concurrently filed amendment and Information Disclosure Statement.

However, in reviewing the file record, it is noted that a Notice of Allowance and Issue Fee Due and a Notice of Allowability were mailed on December 19, 2005 requiring that the issue and publication fees be paid on or before March 20, 2006 to avoid abandonment of the application. No drawings were required by the Notice of Allowability.

There is no indication that the issue and publication fees were timely submitted and, as such, this case is considered to be abandoned by operation of law. If petitioner has evidence of the timely payment of the issue and publication fees, then petitioner may wish to consider filing a petition requesting withdrawal of the abandonment of this application. The petition should be captioned as a petition requesting withdrawal of the abandonment of this application and as a renewed petition requesting withdrawal of this application from issue.


Further correspondence with respect to this matter should be addressed as follows:

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Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.


Frances Hicks
Petitions Examiner
Office of Petitions